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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,075	08/15/2001	Randall Fisher	45467/05744	9580

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EXAMINER

TRAN, NGHI V

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/930,075

Applicant(s)

FISHER ET AL.

Examiner

Nghi V Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☒ Claim(s) 1, 10, and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02/25/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because the items 702, 704, 706, and 707 of figure 7 and items 902 and 906 of figure 9 are not clear because they are not pointing to the structure in the figures 7 and 9. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is

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requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

3. Claims 1, 10, and 19 are objected to because of the following informalities:

A punctuation mark "." is missing at the end of the claims 1, 10, and 19.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 8, 17, and 26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Taking claim 8 as an exemplary claim, in claim 8, the Applicants wrote, "determining ... when said received message is not a transfer message; and determining ... when said received message is a transfer message ..." In addition, the Applicants wrote, "preparing ... when said received message is a transfer message ...; preparing ... when said received message is not a transfer message ...; and preparing ... when either said received message is not a transfer message ..." (emphasis added). The examiner interprets the term "and" means logical operator that requires both of two

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conditions to be met for an output to be made or a statement to be executed. It is impossible to have both claimed conditions occurred at the same time (i.e. "said received message is not a transfer message and said received message is a transfer message"). For the purpose of examination, the examiner will interpret that only one of the above two conditions will occur at a given time.

Further, the Applicants wrote, "determining ... when said received message is a transfer message; ... preparing a transfer message ... when said received message is not a transfer ... host processor; and preparing ... when either said received message is not a transfer message ... said first host processor." It is impossible to have both claimed conditions occurred at the same time (i.e. the limitation "when said received message is a transfer message" contradict the limitation "when said received message is not a transfer" and the limitation "when either said received message is not a transfer message").

Claims 17 and 26 are also rejected for the same reason set forth in claim 8 above.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. There is insufficient antecedent basis for these following:

- The limitation "forwarding ... a destination host processor ... a message key of receive message" (emphasis added) in claims 1, 10, and 19.
- The limitation "said business rules" in claim 5.
- The limitation "a message key" in claims 7, 16, and 25.

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- The limitation “said primary key” in claims, 8 17, and 26.

8. Claims 6-7, 15-16, and 24-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 6, the limitation of the phrase, “wherein said message keys ...” (emphasis added), renders the claim indefinite because it is unclear whether the message key or the unique primary message key.

With respect to claim 7, the limitation of the phrase, “determining ... a message key ... received message” (emphasis added), renders the claim indefinite because it is unclear whether the message key or the unique primary message key.

Claims 15-16 and 24-25 are also rejected for the same reason set forth in claims 6-7 above.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-3, 6-12, 15-21, and 24-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Furukawa et al., U.S. Patent Number 6,618,366 (hereinafter Furukawa).

Taking claim 1 as an exemplary claim, Furukawa teaches a protocol-independent method for processing messages in an enterprise integration application system having at least three processors, comprising the acts of:

- installing at least one host processor (items 2- 7 of figure 5) and at least one channel processor each the channel processor in operative communication with two corresponding processors (figure 5);
- receiving at least one received message at a first host processor via a source channel processor (S100, figure 8), each received message having at least one corresponding message key, the message key including corresponding processing indicia (figure 13);
- maintaining dynamic configuration information (figure 18) for the first host processor, including the acts of:
 - associating each the host processor with corresponding communicating channel processors operatively communicating with the host processor (item 113-1 of figure 14);
 - associating each the host processor with corresponding transfer channel processors operatively communicating with the first host processor (item 112-1 of figure 14);
 - associating message keys with corresponding destination data, each the destination datum including a destination host processor and a destination channel processor (column 9, lines 38-51);

- forwarding messages corresponding to the received message from the first host processor to a destination transfer channel processor corresponding to a destination host processor determined by reference to the destination data corresponding to a message key of the received message (S106, figure 18; and column 10, lines 46-63);
- whereby messages originating from a channel processor are dynamically routed through the enterprise integration application system in accordance with the association between message keys and destination data (column 9, lines 30-50).

With respect to claim 2, Furukawa further teaches the act of updating dynamic configuration information for the first host processor based upon the contents of the received message (figure 105; and column 17-18, lines 40-17).

With respect to claim 3, Furukawa further teaches the act of maintaining dynamic configuration information for the first host processor farther includes the act of associating each the transfer channel processor with a communication protocol specification selected from at least two communication protocol specifications (column 43, line 58 through column 44, line 10); and wherein the act of forwarding further includes the act of conforming with the communication protocol specification associated with the destination transfer channel processor (column 10, lines 5-22; and item S106 of figure 18).

With respect to claim 6, Furukawa further teaches the messages include a unique primary message key; and wherein the unique primary message keys further

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includes identification of an origin host processor, an origin channel processor, origin processing indicia, a source host processor, a source channel processor, and source processing indicia (figure 13).

With respect to claim 7, Furukawa further teaches the method of forwarding messages includes the acts of:

- determining destination datum corresponding to the received message by reference to the unique primary message key of the received message (S102 of figure 18);
- preparing the forwarding message corresponding to the received message and the destination datum (S103, S104, or S105 of figure 18); and
- sending each the forwarding message to the transfer channel processor corresponding to the destination datum host processor (S106 of figure 18).

With respect to claim 8, Furukawa further teaches the act of determining whether the received message is a transfer message having an original message and an original message key; wherein the act of determining destination data corresponding to the received message includes the acts of:

- determining destination data by reference to the primary key when the received message is not a transfer message (step (1) of S112, figure 19); or
- determining destination data by reference to the original message key when the received message is a transfer message (step (2) of S112, figure 19); and wherein the act of preparing a forwarding message includes the acts of:

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- preparing a message substantially similar to the included message when the received message is a transfer message and the destination host processor is the first host processor (step (1) of S102, figure 18);
- preparing a transfer message including the received message when the received message is not a transfer message and the destination host processor is not the first host processor (step (2) of S102, figure 18); or
- preparing a message substantially similar to the received message when either the received message is not a transfer message and the destination host processor is the first host processor; or when the received message is a transfer message and the destination host processor is the first host processor (step (3) of S102, figure 18).

With respect to claim 9, Furukawa further teaches the act of maintaining dynamic configuration information for the first host processor further includes the act of:

- associating each communicating channel processor with a communication protocol specification selected from a predetermined set of at least two communication protocol specifications (column 43, line 58 through column 44, line 11); and
- wherein all acts of sending a message from a host processor to an communicating channel processor are performed in conformance with the communication protocol specification associated with the communicating channel processor (column 44, lines 11-30).

Claims 10-12, 15-21, and 24-27 are also rejected for the same reason set forth in claims 1-3 and 6-9 above.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 4-5, 13-14, and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furukawa as applied to claims 1, 10 and 19 above, and further in view of Walsh et al., U.S. Patent Number 6,810,429 (hereinafter Walsh).

With respect to claim 4, Furukawa fails to teach a predetermined set of rules. In the enterprise integration application system, Walsh discloses at least one terminal processor and the act of associating message keys with corresponding destination data depends upon conforming to a predetermined set of rules relating to the integration and operation of the at least one terminal processor into the enterprise integration application (column 3, lines 5-22). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify Furukawa in view of Walsh by adding a predetermined set of rules. The motivation for doing so would have been obvious because a predetermined set of rules enable the enterprise integration application system for highly flexible, robust and scaleable distributed application.

With respect to claim 5, Furukawa fails to teach business rules. In the enterprise integration application system, Walsh discloses business rules include rules providing

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for the translation of data from one termination application into a format suitable for use for a second termination application (see abstract and figure 1b). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify Furukawa in view of Walsh by mapping the business rules for translation of data from one termination application into a format suitable for use for a second termination application. The motivation for doing so would have been obvious because business rules enable the enterprise integration application system for highly flexible, robust and scaleable distributed application.

Claims 13-14 and 22-23 are also rejected for the same reason set forth in claims 4-5 above.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. "Server and web browser terminal emulator for persistent connection to a legacy host system and method of operation," by Butts et al., U.S. Patent Number 5,754,830.

b. "Packet switched network using distributed protocol converters for interfacing user terminals," by Watanabe, U.S. Patent Application Publication Number 2003/0035439.

c. "Bridge communication system," by Tsutsui et al., U.S. Patent Number 5,060,228.

- d. "Integrated IP network," by Furukawa et al., U.S. Patent Number 6,711,623.
- e. "System and method for notification subscription filtering based on user role," by Zothner, U.S. Patent Number 6,751,657.
- f. "Method and apparatus for tunneled communication in an enterprise network," by Davidson et al., U.S. Patent Application Publication Number 2002/0065906.
- g. "Efficient recovery of multiple connections in a communication network," by Crump et al., U.S. Patent Application Publication Number 2002/0078208.
- h. "Tools and techniques for directing packets over disparate networks," by Data et al., U.S. Patent Number 6,775,235.
- i. "Protocol for transporting reservation system data over a TCP/IP network," by Batz et al., U.S. Patent Number 5,918,022.


14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi V Tran whose telephone number is (571) 272-4067. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi V Tran
Examiner
Art Unit 2151

NT



FRANTZ B. JEAN
PRIMARY EXAMINER